

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD LEE SWACKHAMMER,

Defendant.

Case No. 1:98-CR-220-03

Hon. Richard Alan Enslen

ORDER

Defendant Donald Lee Swackhammer, a prisoner proceeding *in forma pauperis* and *pro se*, has filed an untitled document with this Court requesting an order authorizing the Clerk to transmit portions of the record to the United States Supreme Court. It does not appear that such relief is presently necessary. Rule 12.2 of the Rules of the United States Supreme Court provides that a prisoner proceeding *in forma pauperis* and *pro se* need only file a single copy of a petition for writ of *certiorari* and motion to proceed *in forma pauperis* with the Supreme Court and need not file the record. Rule 12.7 permits citation to the record even if it has not been transmitted to the Supreme Court. Defendant has not shown need for the relief requested.

THEREFORE, IT IS HEREBY ORDERED that Defendant Donald Lee Swackhammer's motion for order to transmit record (Dkt. No. 512) is **DENIED**.

DATED in Kalamazoo, MI:
October 20, 2005

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE